



U.S. Department of Justice

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

August 14, 2022

**BY ECF**

The Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Sq.  
New York, NY 10007

**MEMO ENDORSED**

**Re: United States v. Cristobal, 20 Cr. 463 (KPF)**

Dear Judge Failla:

The Government has learned that, this morning, the confidential source (the "CS") tested positive for COVID-19. Based on the courthouse's protocols, the Government understands that the first day that the CS could enter the courthouse—Day 11, assuming his symptoms are improving and he has no fever—would be Wednesday, August 24, 2022. The Government expects the CS to be among the earliest witnesses in the trial and that, given the order of proof, it would not be practicable to call him out of order.

Accordingly, the Government respectfully requests that the commencement of trial be adjourned by two days, until August 24, 2022. The Government expects its case-in-chief to last just over a week, which is less than the previous estimate of two to three weeks. Defense counsel consents, but advises that counsel has another trial beginning September 19, 2022, and may request longer trial days if necessary to avoid a conflict. The Government has no objection to that request if it becomes necessary.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE